

The Leesburg Planning Commission met on Thursday, May 18, 2006 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, Barbara Beach, Scott Parker, Brian Boucher, Chris Murphy and Linda DeFranco.

CALL TO ORDER

The meeting was called to order at 7:00pm by Chairman Wright.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Chairman Wright
Commissioner Bangert
Commissioner Barnes
Commissioner Burk
Commissioner Hoovler
Commissioner Kalriess
Commissioner Moore
Mayor Umstattd

ADOPTION OF AGENDA

Commissioner Bangert moved to adopt the agenda as presented.

Motion: Bangert
Second: Kalriess
Carried: 7-0

APPROVAL OF MINUTES

Commissioner Barnes moved to approve the minutes of the March 16, 2006 meeting as submitted

Motion: Barnes
Second: Hoovler
Carried: 6-0

Commissioner Barnes abstained.

Commissioner Kalriess moved to approve the minutes of the March 29, 2006 special meeting as submitted

Motion: Kalriess
Second: Moore
Carried: 3-0-4

Commissioners Moore, Bangert, Hoovler and Barnes abstained.

Chairman Wright noted some changes in the April 6, 2006 minutes as follows: On page 3 the motion was made by Moore, not Wright. On page 4 Commissioner Moore, not Chairman Moore, and on page 6 add that "staff advised on the appeal."

Motion: Moore
Second: Burk
Carried: 6-0-1

Commissioner Hoovler abstained from this vote.

Commissioner Hoovler moved to accept the minutes of the April 20, 2006 meeting as submitted.

Motion: Hoovler
Second: Barnes
Carried: 6-0-1

Commissioner Burk abstained from this vote.

CHAIRMAN'S STATEMENT

Chairman Wright reviewed the agenda commenting that Commerce Bank was on the agenda, along with a briefing on the Crosstrail development. There will be one item under new business.

PETITIONERS

None

PUBLIC HEARING

None

ZONING

Christopher Murphy presented the staff report on Commerce Bank. He referred to the May 18, 2006 staff report which recommended denial of the application based on sight distance problems, lighting and traffic flow on Plaza Street to East Market Street. The applicant has agreed to traffic signal modification and landscaping modifications.

Commissioner Kalriess asked about existing light fixtures and the part they played in the lighting scheme of the bank property. Mr. Kalriess also asked about the northeast corner and the way the light spills onto Plaza Street

Chairman Wright asked if the traffic report showed volume at the existing entrance and the new, proposed entrance. Mr. Murphy stated that they had not gone into that detail.

Chris Cabbot of Wells and Associates said they did a traffic study and it reflected vehicle usage during the afternoon peak, which will increase. Mr. Wright asked for a daily number and if there would be any increase/decrease in the usage of the Office Depot entrance.

Sally Gillette, representative for Commerce Bank, came forward to reiterate the bank application. She commented that the site was tight, but was one of the last sites left in this particular plaza. The bank can be located on the site within all of the setbacks required. This application will enhance the landscaping in the area by extending it to the Roy Rogers and to Office Depot along Plaza Street. They will modify the traffic signal and extend the turn lane to allow for easier egress from the site into the existing roadways.

Commissioner Barnes commented on a similar design in Falls Church and said it looked pretty good. He did not like the large "C" on the building. Ms. Gillette said the big "C" will not be on the Leesburg bank.

Commissioner Kalriess commented that he disagreed with the comment on the special exception. This does not just address the drive through. It is also a special exception because of the various traffic patterns created.

Commissioner Bangert asked about the access from the bank to Office Depot. It looks as though someone would have to go to Plaza Street to access a sidewalk to safely get to Office Depot. They need to cut through the landscaping and the travel lane to do this.

Commissioner Moore asked about the handicap spaces. Why aren't they adjacent to the building? Why didn't they start the turn lane at the Office Depot exit? Sean Cross came forward and said one reason the turn lane didn't start there was to avoid confusion for people turning into that entrance near the Office Depot. Mr. Moore asked if a light would make a difference? That would need to fall under the DCSM regulations.

Commissioner Moore moved to deny TLSE 2005-0006, the Commerce Bank application, at the corner of Market and Plaza Streets. The motion was seconded by Commissioner Hoovler.

Commissioner Hoovler commented that in looking at the application, it is a tight location. He does not feel that it is appropriate for a drive through use.

Commissioner Kalriess had his concerns about the walkability, agreeing with Commissioner Bangert's point made earlier. He would also like to see this tie in with the Town Plan objectives.

Chairman Wright said this is a very busy corner and adding a bank with a drive through will just intensify the congestion. This creates some safety issues with an automotively intensive use. He supports the motion to deny this application.

Commissioner Moore said the staff worked hard on this and he concurs with the other commissioners. He is also concerned about the design of the building and questions how the BAR approved this design. The design does not reflect the character of the old and historic district. Other banks that have come into town have made an effort to replicate the look and feel of the old and historic district.

Motion: Moore
Second: Hoovler
Carried: 7-0

SUBDIVISION AND LAND DEVELOPMENT

None

COMPREHENSIVE PLANNING

ZMAP 2005-0001, County Referral, Crosstrail rezoning. Chairman Wright gave a recap of the purpose of the Commissions involvement in this referral. David Fuller, Chief of Comprehensive Planning, introduced Scott Parker, Senior Planner.

Mr. Parker gave a presentation pointing out the location of the application and some of the uses. The primary development will occur between the airport and the Greenway. A graphic was presented that delineated the residential, retail and transportation improvements. A good portion of the residential is proposed to be age restricted. The town is proposing that the application include shifting residential away from the airport. They also pointed out that there is insufficient office intensity in accordance to the new Town Plan, retail percentage is too high, retail and support should lend themselves to “daily needs” and public utilities should be provided by the Town. Based on this, staff is recommending denial.

Commissioner Hoovler asked that the flight patterns and LDN be pointed out on the map. Mike Banzhaf, representative of the applicant, pointed out that the residential area is outside the 60 LDN area. Commissioner Kalriess said it would be important to know where the LDN lines are. Mr. Banzhaf stated this was set out on the concept plan. David Fuller pointed out the approximate areas on the map. Commissioner Kalriess stated that the town plan is more restrictive than what the county has in place. Should the executive airport have a stronger standard because of types of air traffic, etc. Chairman Wright said the airport commission has a resolution stating strict guidelines for encroaching on the airport.

Commissioner Kalriess asked why the overflight pattern was established at 2500 feet. Was it because of the landing/takeoff loops required? Susan Swift said the reason the town has a more restrictive line is there is concern that the noise complaints will someday have negative effect on the airport. The County’s plan predates ours and does not include all of the current residential development in the area.

Scott Parker pointed out where the first phase was projected to begin and then went through the other buildout phases. Michael Banzhaf pointed out that there had been a more recent update and clarified where the building would begin. Barbara Beach asked that the most recent copy be provided for clarification.

Commissioner Wright asked that the actual phases and the timing be provided in detail. Mr. Parker went on to show the proposed transportation improvements. The current proposal is for private streets. The town is asking that the streets be public streets and that sufficient cross connection be provided. Commissioner Bangert asked about the transportation proffers and which roads would be impacted. Mr. Banzhaf responded mostly Sycolin Road and Crosstrail Boulevard. She asked that the proffer funds be included and specified for future impacts. Commissioner Bangert then pointed out that in the Town Plan and future planning, schools should be located within the community. This site is on the other side of the Greenway, making it accessible only by bussing. Putting the site within the community would be more logical. Nothing in the site is walkable. The retail and office are at the other ends of the residential development. Mr. Banzhaf replied that the residential in this development is primarily active adult, and the school site is closer to the market for school age residential. Commissioner Kalriess asked how the residential units added up. He counted 690 market multi-family, 77 ADUs, and 141 market attached. That is 908 units that could have children in them. Commissioner Wright said that since they don't have the numbers, let's get the information and readdress it. Commissioner Kalriess asked for a better breakdown of the office and retail development. Does staff have recommendations regarding percentages? Scott Parker pointed out the recommendations in the staff report. David Fuller pointed out that the Town Plan calls for intensive office and minimum to no residential. Retail should be limited to "daily use" for those people that work in the area. Commissioner Kalriess also requested information on the looping of the waterline in the area and the impact of who provides the water and sewer for the area.

Commissioner Moore asked about potential complaints and the negative impact on the airport. Is there any recourse if the airport should be shut down. The Mayor responded that there is no recourse and abundant complaints could shut the airport down. The Town would then be liable to pay back \$18-\$20 million to the FAA for it's investment in the airport. If this area remains outside the town limits, then complaints would not impact the Council. This could go to a higher level. If the area falls within the town, then this area would have the clout to shut the airport down. Commissioner Moore asked if purchasers in this area would need to sign acknowledgement of the airport in the area. Mayor Umstattd said this is not necessarily a requirement. Most people wouldn't read this, and it would not stop any complaints.

Commissioner Burk said he is still surprised that people move next to an airport and then complain about it. He said we must do what we can to protect our resource.

Commissioner Kalriess commented that there is opportunity for the town and opportunity to make this a good development and they should strive to move forward and to watch the transportation issues.

Commissioner Hoovler agreed and admitted they won't have a "seat at the table" to make the final decision. Despite all their efforts to work more closely with the County, the result has been disappointing. Commissioner Barnes agreed with this comment.

Chairman Wright concluded that transportation details and proffer details need to be delineated. We care because of the airport and this is on our border, so they will be in Leesburg a good portion of the time, thereby impacting the transportation grid. He feels that they do have a chance to work with the County and convince them to work with us.

Commissioner Burk added that they need to push for presence because there will be other applications that will also significantly impact the town.

Chairman Wright ask that a resolution be drafted reflecting the Council's position.

Commissioner Kalriess suggested they make a strong statement relative to the utilities. The town, in the 2002 Sycolin watershed/sewershed study, planned facility improvements to cover this area within our plant. The most economical way to service this is through the town.

Commissioner Bangert said that the CPAM language is to be proposed by the applicant and this should be provided to the subcommittee.

COUNCIL AND REPRESENTATIVE'S REPORT

None

STAFF AND COMMITTEE REPORTS

Chairman Wright attended the BAR meeting. He invited them to the worksession in June regarding the second BAR. They also have an appeal before them regarding a sign in the H2 which has more than 5 colors.

Scott Parker gave a brief presentation on the County Referral Process and explained how they have streamlined the process, it's timelines, etc.

Commissioner Bangert asked about the extra step in the referral process referenced on the second page. Another application will be coming in that is different from the first submission, so flexibility in this language might be considered.

Commissioner Kalriess echoed this sentiment. He would like to have the Commission consider anything of any great magnitude that affects us townwide. Commissioner Hoovler agreed.

OLD BUSINESS

None

NEW BUSINESS

Commissioner Wright talked about the subcommittee meeting and met with the Council subcommittee regarding issues and the course of action regarding the Crosstrail development. The UGA/JLMA subcommittee will meet prior to the Council's worksession to once again go over the item.

Commissioner Bangert said there would be a meeting of the Transportation and land use committee on Monday. An item on the agenda is reallocation of leftover funds from road projects. Staff recommends that this be applied to the Rt. 15 widening and trail. She urged everyone to email and request the funds be allocated to this.

Commissioner Kalriess mentioned there were some bills in the House that the Commission should pay attention to. Barbara Beach said there was new enabling legislation they would like to see. Chairman Wright suggested that they email Susan and she can pass this on to Nicole Ard. Mr. Kalriess said there are some items he would like to discuss further.

ADJOURNMENT

The motion was made to adjourn the meeting at 9:09pm

Prepared by:

Approved by:

Linda DeFranco, Commission Clerk

Kevin Wright, Chairman